

Remarks

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 1, 4, and 7 have been amended. No new matter has been added. Claims 1-15 remain pending.

Rejection under 35 U.S.C. § 103

In section 2 of the Action, claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the rejection notes the lack of antecedent basis for several elements of claims 1 and 4. Claims 1 and 4 have been amended to address these informalities. Reconsideration and allowance of claims 1-6 are therefore respectfully requested.

Rejection under 35 U.S.C. § 103

In section 4 of the Action, claims 1-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Webber et al. (WO 98/18001) in view of Uto et al. (U.S. Patent No. 5,886,625). This rejection is respectfully traversed, and reconsideration is requested for at least the following reasons.

Claim 1 is directed at a process for anticipating and/or preventing a risk of spontaneous ignition of an explosive atmosphere. Claim 1 recites that a temperature of a mixture and any change over time are measured from a time of creation of the atmosphere, and that a critical moment of spontaneous ignition and/or explosion of the mixture is determined by determining the time elapsed between the creation of the atmosphere and the critical moment beyond which there is a risk of the atmosphere spontaneously igniting.

By measuring the temperature and its change over time from a time of creation of the atmosphere, the critical moment of spontaneous combustion can be determined. Application, p. 5, ll. 1-7.

Neither Webber nor Uto, alone or in combination, suggest measuring a temperature of a mixture from a time of creation of the atmosphere, as recited by claim 1. For example, as noted in the previous response, Webber discloses the analysis of an atmosphere before and after an ignition source is provided to the atmosphere. See, for example, Webber, p. 5, l. 24 - p. 6, l. 11.

However, Webber fails to disclose or suggest measuring a temperature of a mixture from a time of creation of the atmosphere, as recited by claim 1.

Reconsideration and allowance of claim 1, as well as claims 2-6 that depend therefrom, are respectfully requested for at least these reasons.

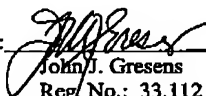
Claim 7 recites that an induction time before spontaneous ignition and/or explosion is determined through a measurement of an initial temperature of the atmosphere at a time of creation of said atmosphere. Therefore, claim 7 should be allowable for at least reasons similar to those noted above with respect to claim 1. Reconsideration and allowance of claim 7, as well as claims 8-15 that depend therefrom, are respectfully requested.

In view of the above, Applicant respectfully requests reconsideration of the application in the form of a Notice of Allowance. Please contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,

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Date: Sep. 2, 2004

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